

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

IN RE:)	CASE NO. 10-10041-R
)	Chapter 7
ARROW TRUCKING COMPANY)	
EIN # xx-xxx4029)	
)	
MEGAN CORPORATION)	SUBSTANTIVELY
EIN # xx-xxx6762)	CONSOLIDATED
)	
Debtors.)	

**TRUSTEE'S REQUEST TO FILE SUPPLEMENTAL BRIEF IN OPPOSITION
TO MOTION TO CERTIFY CLASS PROOF OF CLAIM**

Comes now the Trustee and states:

1) On the 5th day of May, 2010, a motion to certify a class proof of claim was filed herein by counsel on behalf of certain former employees. The Trustee filed his response and in objecting to the motion addressed the 10th Circuit ruling in the matter of *In re Standards Metal Corp.*, 817 F.2d 625 (10th Cir. 1987) which appears to stand for the proposition that at least in the 10th Circuit class proofs of claims are not allowed. In his reply, counsel has argued that a subsequent hearing in the referenced case essentially rendered any discussion of class proofs of claim in the earlier decision mere dicta. Additionally, counsel addressed other 10th Circuit bankruptcy and District Court cases which do support class proofs of claim.

2) The Trustee requests the opportunity to address these arguments. In addition, the Trustee seeks an opportunity to address the issue of whether or not this Court should exercise its discretion under Rule 7023 FRBP to certify class under the specific facts and circumstances of this case---particularly given the Trustee's acknowledgement that the debtor violated the WARN Act prior to the commencement of these proceedings.

WHEREFORE, the Trustee requests authority to file a supplemental brief on these issues.

Respectfully submitted,

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